## **DECLARATION FOR UTILITY PATENT APPLICATION**

## AS A BELOW-NAMED INVENTOR, WE HEREBY DECLARE THAT:

Our residence, post office address, and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled: METHOD AND SYSTEM FOR OPTIMIZING MINIGENES AND PEPTIDES ENCODED THEREBY, the specification of which is attached hereto unless the following box is checked:

was filed on Herewith as United States Application Serial No. or PCT International Application No. Unassigned and was amended on \* (if applicable).

WE HEREBY STATE THAT I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

We acknowledge the duty to disclose information which is material to the patentability as defined in 37 C.F.R. § 1.56.

We hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Application No.	Country	Date of Filing (day/month/year)	Priority (	laimed?
PCT/US00/35568	USA	December 28, 2000	ĭ¥Yes	□No

We hereby claim benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Serial No.	Filing Date
60/173,390	December 28, 1999
60/284,221	April 16, 2001

We hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, we acknowledge the duty to disclose information which is material to

patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application Serial No.	Status		
*	□Patented	□Pending	□Abandoned

We hereby appoint the following attorneys and agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Randolph Ted Apple (Reg No. 36,429) Laurie A. Axford (Reg No. 35,053) Joseph Barrera (Reg No. 44,522) Shantanu Basu (Reg No. 43,318) Frank P. Becking (Reg No. 42,309) Jonathan Bockman (Reg No. 45,640) Barry E. Bretschneider (Reg No. 28,055) Nicholas Buffinger (Reg No. 39,124) Mark R. Carter (Reg No. 39,131) Peng Chen (Reg No. 43,543) Thomas Chuang (Reg No. 44,616) Cara M. Coburn (Reg No. 46,631) Raj S. Davé (Reg No. 42,465) Karen B. Dow (Reg No. 29,684) Carolyn A. Favorito (Reg No. 39,183) Hector Gallegos (Reg No. 40,614) Debra J. Glaister (Reg No. 33,888) Johney U. Han (Reg No. 45,565) Alan S. Hodes (Reg No. 38,185) Kelvan P. Howard (Reg No. P48,999) Jill A. Jacobson (Reg No. 40,030) Madeline I. Johnston (Reg No. 36,174) Parisa Joriani (Reg No. 46,813) Richard C. Kim (Reg No. 40,046) Lawrence B. Kong (Reg No. P49,043) Glenn Kubota (Reg No. 44,197 Michael J. Mauriel (Reg No. 44,226) Philip A. Morin (Reg No. P-45,926) Mabel Ng (Reg No. P48,922) Catherine M. Polizzi (Reg No. 40,130) Debra A. Shetka (Reg No. 33,309) Rebecca Shortle (Reg No. 47,083) Stanley H. Thompson (Reg No. 45,160) Michael R. Ward (Reg No. 38,651) Todd W. Wight (Reg No. 45,218) David T. Yang (Reg No. 44,415)

Mehran Arjomand (Reg No. P48,231) Sanjay S. Bagade (Reg No. 42,280) Erwin J. Basinski (Reg No. 34,773) Richard R. Batt (Reg No. 43,485) Vincent J. Belusko (Reg No. 30,820) Kimberly A. Bolin (Reg No. 44,546) Tyler S. Brown (Reg No. 36,465) A. Randall Camacho (Reg No. 46,595) Robert K. Cerpa (Reg No. 39,933) Alex Chartove (Reg No. 31,942) Thomas E. Ciotti (Reg No. 21,013) Matthew M. D'Amore (Reg No. 42,457) Peter Davis (Reg No. 36,119) Stephen C. Durant (Reg No. 31,506) David L. Fehrman (Reg No. 28,600) Thomas George (Reg No. 45,740) Kenneth R. Glick (Reg No. 28,612) Douglas G. Hodder (Reg No. 41,840) Charles D. Holland (Reg No. 35,196) Peter Hsieh (Reg No. 44,780) Wayne Jaeschke, Jr. (Reg No. 38,503) Richard D. Jordan (Reg No. 33,519) Ararat Kapouytian (Reg No. 40,044) Cameron A. King (Reg No. 41,897) Kawai Lau (Reg No. 44,461) Rimas T. Lukas (Reg No. 46,451) Gladys H. Monroy (Reg No. 32,430) Kate H. Murashige (Reg No. 29,959) Martin M. Noonen (Reg No. 44,264) Paul J. Riley (Reg No. 38,596) Terri Shieh-Newton (Reg No. 47,081) Kevin R. Spivak (Reg No. 43,148) Thomas L. Treffert (Reg No. P48,279) E. Thomas Wheelock (Reg No. 28,825) Frank Wu (Reg No. 41,386) Peter J. Yim (Reg No. 44,417)

George C. Yu (Reg No. 44,418) Bruce Grant (Reg. No. 47,608) Karen R. Zachow (Reg No. 46,332)

and:

Please direct all communications to:

Bruce D. Grant Morrison & Foerster LLP 3811 Valley Centre Drive Suite 500 San Diego, California 92130-2332

Please direct all telephone calls to Bruce D. Grant at (858) 720-7962.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name:	Alessandro Sette
Residence:	La Jolla, California
Citizenship:	Italian
Post Office Address:	5551 Linda Rosa Avenue, La Jolla, California 92037
Name:	Robert Chestnut
Residence:	Cardiff-by-the-Sea
Citizenship:	USA
Post Office Address:	1473 Kings Cross Drive, Cardiff-by-the-Sea, California 92007
Name: Residence:	Brian D. Livingston San Diego, California
Citizenship:	USA
Post Office Address:	13555 Chaco Court, San Diego, California, 92129
Name:	Denise Marie Baker
Residence:	San Diego, California
Citizenship:	USA
	Residence: Citizenship: Post Office Address:  Name: Residence: Citizenship: Post Office Address:  Name: Residence: Citizenship: Post Office Address:

Date Name: Mark J. Newman

Residence: Carlsbad, California

Citizenship: USA

Post Office Address: 6603A San Isabel Street, Carlsbad, California 92009

Date Name: David H. Brown

Residence: San Diego, California

Citizenship: USA

Post Office Address: 311 Fourth Avenue, Suite 207, San Diego, California 92101